

## **Coast Guard Authorization Act Strengthens Critical Military Branch, Ensures Accountability for Taxpayer Dollars**

October 23, 2009

WASHINGTON, DC— Today Congressman Joe Sestak (PA-07) voted for, and the House passed, H.R. 3619, the Coast Guard Authorization Act of 2010. If the Senate considers the bill, this legislation will be the first full Coast Guard reauthorization enacted since 2006.

The bill authorizes \$10 billion in FY 2010, \$280 million more than requested by the administration, and is based on H.R. 2830 from the 110th Congress. Specifically, the legislation authorizes annual appropriations for the service and authorizes the end-of-year strength for military personnel. In addition, it incorporates other provisions addressing marine safety, Coast Guard management structure, acquisition reform, workforce development, and cruise vessel safety.

"I was proud to support this vital measure which will ensure our domestic security," said Congressman Sestak. "As a former Admiral, I have the highest respect for the professionalism and mission of the United States Coast Guard. In an era of piracy, drug smuggling and terrorism, the Coast Guard fills an essential role in ensuring our homeland security."

"Particularly, I am pleased with the provisions of the bill pertaining to acquisitions. As a member of the House Armed Services Committee Acquisition Reform Panel, I am all too familiar with the 'tyranny of optimism' that pervades the defense acquisitions process. It is vital that, while keeping America safe, Congress also ensure that there are mechanisms in place to ensure accountability to the taxpayers for projects with unrealistic cost estimates or immature

technology."

The provisions of the bill are outlined below.

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#### Title I - Authorization

Title I of H.R. 3619 authorizes approximately \$10 billion in fiscal year 2010 for the Coast Guard (\$280 million above the President's budget), and increases the authorized end-strength for military personnel by 1,500 members to 47,000 total personnel.

#### Title II - Coast Guard

Title II of H.R. 3619 makes administrative changes to the Coast Guard, including creating the position of District Ombudsman in each Coast Guard district to serve as a liaison between the Coast Guard and the maritime community. The bill creates a process for Members of Congress to nominate individuals to attend the Coast Guard Academy. H.R. 3619 establishes new initiatives to increase the recruitment of minority individuals into the Coast Guard.

Further, the bill would include funding for operations and maintenance, acquisitions, retirement pay, the Coast Guard Reserve program, search and rescue research, the alteration or removal of bridges over U.S. navigable waters and environmental compliance and restoration at Coast Guard facilities. Both the funding and personnel increases aim to provide the Coast Guard with the necessary resources to meet an ever-increasing workload.

#### Title III - Shipping and Navigation

Title III of H.R. 3619 contains provisions that create a civil penalty for the possession of controlled substances on vessels. It also authorizes the Secretary of the department in which the Coast Guard is operating to establish a limit of liability under the Oil Pollution Act of 1990 for pollution incidents in deepwater ports used only in connection with the transportation of natural gas. Further, H.R. 3619 requires a study on exhaust pollution released by cruise ships, and requires a study on arctic marine transportation.

### Title IV--Great Lakes icebreaker

Title IV of H.R. 3619 authorizes \$153 million for the design and construction of a new replacement icebreaker for the Great Lakes.

### Title V--Acquisition reform

Congress appropriates funds for Coast Guard capital expenditures to the Coast Guard's Acquisition, Construction, and Improvement (AC&I) account, which funds expenses related to "acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto; and maintenance, rehabilitation, lease and operation of facilities and equipment. Title V reforms the Coast Guard's acquisition procedures.

### Title VI--Maritime workforce development

Title VI of H.R. 3619 amends title 46, United States Code, to direct the Secretary of Transportation to establish a maritime career recruitment, training, and loan program.

### Title VII--Coast Guard modernization

Title VII of H.R. 3619 implements a reorganization of the Coast Guard's senior leadership as proposed by the Coast Guard's Commandant, Admiral Thad W. Allen. It also requires the Coast

Guard to modernize its management of its marine safety program and to establish marine safety as a core mission with rigorous qualifications for marine safety personnel.

Specifically, H.R. 3619 elevates the Vice Commandant to a full four-star Admiral, eliminates the Atlantic and Pacific Area Commands, and establishes four, three-star Admiral positions to lead the operational and policy divisions of the Coast Guard. The four positions created include: Deputy Commandant for Mission Support; Deputy Commandant for Operations and Policy; Commander, Force Readiness Command; and Commander, Operations Command.

### Title VIII--Marine safety

Title VIII of H.R. 3619 contains a variety of provisions intended to strengthen the Coast Guard's implementation of its marine safety functions. These provisions will ensure that the Coast Guard maintains a marine safety program that prevents casualties from occurring, minimizes the effect of the casualty, and maximizes lives saved, if a vessel must be abandoned.

### Title IX--Cruise vessel safety

Title IX of H.R. 3619 contains a number of provisions that will enhance the safety and security of passengers on board cruise vessels. H.R. 3619 requires cruise ships to comply with design and construction standards, such as specific rail heights, peep holes, warning devices, and cabin security measures. The bill also requires that vessels are equipped with a video surveillance system to assist in documenting and prosecuting crimes, and it requires vessels to maintain a log book to record reports on specified complaints. Finally, the H.R. 3619 requires vessels to contact the nearest Federal Bureau of Investigation office as soon as possible to report incidents involving homicide, suspicious deaths, missing U.S. nationals, kidnapping, assault, and other serious occurrences.

### Title X--United States mariner protection

Title X of H.R. 3619 amends title 46 to guarantee to U.S. mariners the traditional use of self defense to enable them to protect themselves and their vessels against piracy.

### Title XI--Port security

Title XI of H.R. 3619 makes a number of improvements to port security, including requiring the Secretary of Homeland Security to provide a report about its pilot program to test access control technologies of TWIC at port facilities and vessels in the United States, 120 days after the program is completed. Title XI also requires the Commandant of the Coast Guard to conduct a program for mobile biometric identification in the maritime environment for suspected individuals, including terrorists, to enhance border security. Title XI further requires the Secretary of Homeland Security to submit a report analyzing the threat, vulnerability, and consequences of a terrorist attack on gasoline and chemical cargo shipments in port activity areas in the United States.

### Title XII--Alien smuggling

H.R. 3619, as amended, finds that alien smuggling by land, air, and sea is a global crime that violates the integrity of the United States borders, compromises our Nation's sovereignty and places the country at risk of terrorist activity. H.R. 3619 incorporates the text of H.R. 1029, the 'Alien Smuggling and Terrorism Prevention Act of 2009', which passed the House by a voice vote on March 31, 2009. The bill ensures that the United States takes a comprehensive approach to combating smuggling both on land and at sea by authorizing punishment for persons who bring, recruit, encourage, transport or harbor an alien knowing or in reckless disregard of the fact that the individual is without the authority to come to, enter or reside in the United States.

### Title XIII--Miscellaneous provisions

Title XIII of H.R. 3619 includes provisions that authorize a variety of conveyances. H.R. 3619 also requires an assessment of the needs associated with the Coast Guard's presence in high latitudes, including icebreaking needs. Finally, H.R. 3619 places a cap on seaman's penalty

wages.